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REVIEW OF PRIORITY THEMES, IN ACCORDANCE WITH COMMISSION RESOLUTION 1/1 ON STRATEGIC MANAGEMENT BY THE COMMISSION ON CRIME PREVENTION AND CRIMINAL JUSTICE OF THE UNITED NATIONS CRIME PREVENTION AND CRIMINAL JUSTICE PROGRAMME

Progress made in the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of data

Report of the Secretary-General

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INTRODUCTION

A. Legislative background

1. The Commission on Crime Prevention and Criminal Justice, at its first session, listed several priorities to guide its work during the period 1992-1996 and determined one of them as: "Efficiency, fairness and improvement in the management and administration of criminal justice and related systems, with due emphasis on the strengthening of national capacities in developing countries for the regular collection, collation, analysis and utilization of data in the development and implementation of appropriate policies" (Economic and Social Council resolution 1992/22, section VI). In response to the Council's request made in that resolution (section I), the Secretary-General submitted to the second session of the Commission a report on the need to identify the most practical course of action to fully operationalize the United Nations crime prevention and criminal justice programme, including financial possibilities (E/CN.15/1993/5). In paragraphs 51-56, the Secretary-General reported on operational research and information gathering and exchange in the context of strengthening clearing-house facilities.

2. On the recommendation of the second session of the Commission, the Council in its resolution 1993/34, section IV, requested the Secretary-General to report to the Commission on progress made in the improvement of computerization in criminal justice management, with emphasis on strengthening national capacities for the collection, collation, analysis and utilization of data.

B. Substantive background

3. As noted in document E/CN.15/1994/2, paras. 3-5, the collection, collation, analysis and dissemination of information appears vital to good governance, which among its many purposes includes accountability of criminal justice administrators on a national and international level. However, availability and use of such information for this many purposes is dependent upon many political and legal factors, including institutional and socio-technical arrangements of national information systems, that is, how national accounting systems are organized and function, how personnel is trained in information management and on related availability of modern equipment (computers, scanners, telephone lines etc.).

4. As there are substantial differences in the socio-technical arrangements designed to collect, collate, analyse and disseminate data on crime and justice, there are substantial differences in the quantity, quality and availability of criminal justice information, and in the degree to which the various criminal justice administrators can be held accountable. In this connection, computerization can no longer be considered a luxury affordable only to wealthy countries. It seems important for all countries. By facilitating efficient information systems, computerization promotes greater openness, understanding and accountability.

I. COMPUTERIZATION IN CRIMINAL JUSTICE MANAGEMENT

A. Strengthening national capacities for the collection, collation, analysis and utilization of data

5. It may be recalled that the involvement of the United Nations crime prevention and criminal justice programme in the field of computerization dates back to the Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.[1] However, only after a rapid advance in computerization, which started in the early 1980s, has the programme made substantial progress in this field, culminating with the adoption of General Assembly resolution 45/109 of 14 December 1990 on the computerization of criminal justice. This resolution has led to initiatives to develop a comprehensive

plan in this field, as recommended by the Eighth United Nations Congress.[2] In this connection, the Secretariat of the United Nations published a Guide to Computerization of Information Systems in Criminal Justice[3] and cooperated in the issuance of the Directory of Criminal Justice Information Programs, published by the European Institute for Crime Prevention and Control, affiliated with the United Nations.* The Crime Prevention and Criminal Justice Branch has also finalized the preparation of the Manual on Prevention and Prosecution of Computer related Crime", which was drafted on the initiative and with the support of the Government of Canada. The Manual is now being published as issue 43 of the International Review of Criminal Policy.

6. The above-mentioned mandate by the Council and the resulting publications indicate that a good foundation has been established for the planning of computerization projects in the area of criminal justice management. On this basis, the United Nations crime prevention and criminal justice programme, represented by the Helsinki Institute on Crime Prevention and Control (HEUNI), undertook several needs assessment missions at the requests of the Governments of Bulgaria, Cuba, Nepal, Russian Federation and Slovenia. The specific purpose of these missions was to determine the type of assistance that could be provided to national projects on the computerization of criminal justice management that have taken place (Bulgaria) or are planned to commence (Nepal, Russian Federation and Slovenia). Additionally, at the request of the Government of Albania, the United Nations Office at Vienna undertook a general needs assessment mission concerning the criminal justice system of that country, which included an assessment of the computerization needs in criminal justice management.

7. Observations on these projects suggest that the success of computerization endeavours requires thorough planning of the whole undertaking. They also indicate that it is necessary to establish consistent and lasting political commitment at the executive level, to train trainers and to establish the capacity to maintain and develop the information systems. (In contrast, the availability of computer equipment appears to be a relatively minor problem.) Computerization is a means of strengthening the democratization process, this specially pertains to the developing countries. Therefore, computerization in the law enforcement sector has to be related to similar processes in prosecution, courts and prisons, and public administration at large, so as to enable the entire criminal justice system to coordinate its internal actions in line with the checks and balances it needs to have in order to be evaluated as functioning in a democratic manner. The Commission may wish to exchange experiences in this area and, in particular, to review ways and means of assisting Member States in the preparation of project proposals that contain the requisite elements.

8. It must be noted that in implementing such complex projects, the United Nations crime prevention and criminal justice programme has only one expert temporarily available through the good offices of the Ministry of Justice of the Netherlands, at the request of the European Institute. Although the Commission has assigned priority to the modernization of criminal justice systems, the present capacity of the programme is not commensurate with that priority. This is evidenced in the context of General Assembly resolution 45/109, in which the Assembly requests the Secretary-General to establish an international group of experts dealing with projects on the computerization of criminal justice administration. The Assembly envisaged that the group would report regularly to the Secretary-General on experiences in the computerization of criminal justice; oversee the establishment of a technical cooperation programme; monitor the activities of that programme; inform Member States of the potential availability of funds and services from various donors in the governmental, intergovernmental and private sectors; inform such donors of the needs of Member States for assistance; and consult with

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*Formerly called the Helsinki Institute on Crime Prevention and Control, affiliated with the United Nations (HEUNI).

relevant experts in the private sector. As there are no funds to establish such a group, the General Assembly resolution cannot be implemented.

9. The Commission may wish to consider means of securing extrabudgetary support for the establishment of such an expert group and criminal justice system computerization in general. For instance, it may be possible to recruit experts through arrangements similar to those worked out between the Government of the Netherlands and the European Institute; or Member States may wish to participate by seconding middle- and upper-level professionals who would be willing to work on a volunteer basis in developing countries in the framework of the United Nations Volunteer Programme. Such approaches would be in line with the request of the Council that the Secretary-General continue and intensify efforts directed at the modernization of criminal justice techniques and administration, with special attention to the needs of developing countries, including the introduction of compatible information technology to facilitate the administration of criminal justice and to strengthen practical cooperation on crime control between Member States (Council resolution 1993/34, section IV).

B. Transfer of the United Nations Criminal Justice Information Network

10. The United Nations Criminal Justice Information Network (UNCJIN) is a computer network designed to facilitate the exchange of information among criminal justice policy makers, professionals and researchers around the world. It provides a range of traditional services, including electronic mail and the provision of access to the networks of several United Nations agencies, such as the United Nations International Emergency Network and the Electronic Information Network of the United Nations Children's Fund (UNICEF), and to newswires, including Associated Press, United Press International and Reuters; and it offers a wide variety of criminal justice information databases.

11. UNCJIN, which now operates on the Internet, one of the world's largest computer networks, has also other dimensions. First, there is the UNCJIN-L "Listserv". It provides the communication medium for a discussion group that has a fast-growing membership of about 300 subscribers. Electronic mail sent to UNCJIN-L is automatically forwarded to all subscribers. Thus, members receive an abundance of information from around the world, ranging from opinions and data on current criminal justice issues to job and conference announcements. Moreover, for everyone equipped to send electronic mail over the Internet, it is very easy to join the group. To subscribe, it is only necessary to send a simple one-line message to the Listserv.

12. Secondly, there is the UNCJIN "gopher". The UNCJIN gopher is a user-friendly system that allows access to a wide variety of criminal justice and legal information from around the world. Gateways to distant computers are made automatically and in an instant. Although the number of UNCJIN gopher users has still not been determined, there is reason to believe it is very large. There is evidence that other Internet gophers provide their users with access to the UNCJIN gopher, making it more available to a wider audience. What is more impressive is that the UNCJIN gopher is constantly evolving and expanding. At the moment, it provides access to United Nations standards, guidelines and international instruments; profiles of criminal justice systems throughout the world; summaries of the latest United States Supreme Court decisions; international criminal justice statistics from the United Nations surveys of crime trends and operations of criminal justice systems; an annotated list of publication outlets in criminal justice and criminology; the World Directory of Criminological Institutes; the Maastricht Treaty on European Union; documents from the World Health Organization; the on-line catalogues of several major criminal justice and law libraries around the world; the daily press releases of the United Nations Information Service; and many other databases and networks. The most recent initiative involves publication of the electronic digest of the United Nations crime prevention and criminal justice programme which contains excerpts from and full documents of the United Nations on current crime and justice issues. While connecting to the UNCJIN gopher is more complicated than connecting to UNCJIN-L,

most criminal justice agencies and research institutes around the world will probably find that it is easier and cheaper than operating UNCJIN through another computer network, the TCN/Dialcom, a system serviced by Telecommunications Computer Network, which UNCJIN was with originally.

13. Until the beginning of 1993, the entire UNCJIN system was operated out of the School of Criminal Justice of the State University of New York at Albany. In August 1993, the system operations of the TCN/Dialcom component were transferred to the Branch. At that time, it was decided that this component of UNCJIN would be phased out, in view of the greater information resources available on the Internet. A strategy was then designed for the purpose of moving the members of the TCN/Dialcom system over to the Internet. In November, the move was announced and information on the Internet, including connection information, was mailed to all of the members of UNCJIN on TCN/Dialcom.* As of the beginning of 1994, UNCJIN was fully transferred to the Internet and exists on that system only.

14. By greatly enhancing the cross-national exchange of information and ideas, UNCJIN already provides the international criminal justice community with a very important service. The planning of future developments of UNCJIN should be comprehensive. For instance, it should include proposals for the technical upgrading of the computer hardware and software that make the UNCJIN gopher and UNCJIN-L possible. It should involve inquiries into opening gateways to the computerized criminal justice information databases of the interregional and regional institutes, Member States and the numerous criminal justice research institutes around the world. It should also include concrete strategies to increase membership. In accordance with the Commission's request outlined in Council resolution 1993/34, section VI, such strategies should emphasize support for criminal justice professionals and researchers from developing countries who do not have the necessary resources or skills to access and utilize the services available on UNCJIN.**

15. The Economic and Social Council in its resolution 1993/34 expressed its appreciation to the Bureau of Justice Statistics of the United States Department of Justice and the State University of New York for their support in the development of UNCJIN. The Council requested the Secretary-General to allocate the necessary services for the transfer of the management and daily operations of UNCJIN to the Crime Prevention and Criminal Justice Branch. It also invited Member States to consider the provision of extrabudgetary resources, including but not restricted to the secondment of computer-programming professionals with criminal justice experience to the Secretariat in order to assist in the orderly transfer of UNCJIN and to provide support for its further logistical and substantive development. In the absence of the support requested from Member States, between the second and third sessions of the Commission the Secretary-General recruited one staff member who was involved in the transfer of UNCJIN as well as having other duties relating to the collection, processing and dissemination of data from the recurrent United Nations Surveys of Crime Trends and Operations of Criminal Justice Systems.

16. At the time of writing, however, the above-mentioned post is vacant, so the operations of UNCJIN continue to be carried out by the School of Criminal Justice of the State University of New York. Pending recruitment of a new staff member as system operator, there persists a danger of discontinuing the

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*The Coordinator of UNCJIN has published a brochure that provides useful information for people interested in joining UNCJIN on Internet. A limited number of copies of that brochure are available to the Commission.

**The European Institute for Crime Prevention and Control, affiliated with the United Nations, the Catalonian Police School, and the Coordinator of UNCJIN plan to organize a training course for individuals interested in UNCJIN on Internet.

work of UNCJIN, as at the moment it cannot be properly supported by the Branch either organizationally or financially.

17. By and large, the present resources of the Branch may not allow UNCJIN on the Internet to be transferred to the Branch as it now exists. If a new staff member is recruited, it may be only possible to transfer UNCJIN-L (the electronic mail discussion group), however, the transfer of the UNCJIN gopher may necessitate significant alterations in its scope and development. In this connection, both monetary and technical assistance are urgently needed.

18. As a result of distributing issue 1/2 of the "UNCJIN Crime and Justice Letter" the number of members is still increasing (see also document E/CN.15/1994/2), but the Network has not even begun to reach its full potential. The Commission, therefore, may wish to give special attention to this issue and reassert its requests and invitations for the resources necessary to complete the transfer of UNCJIN and ensure its continued development.

19. Some actions of the Commission in support of UNCJIN, however, do not require, financial commitment and may be taken very promptly. One of the effective ways of showing the international community that the Commission attaches importance to the worldwide provision of information to criminal justice agencies and experts is to enlist the criminal justice agencies of the countries currently represented on the Commission as members of UNCJIN. The Chief of the Crime Prevention and Criminal Justice Branch made this proposal in letters sent directly to the heads of the delegations to the third session of the Commission.

20. Finally, the Commission may wish to consider changing the name of the United Nations Criminal Justice Information Network to the United Nations Crime and Justice Information Network. The proposed change would reflect the more general nature of the UNCJIN databases and discussion group topics. It would also allow for a distinction to be made between crime prevention and criminal justice, without excluding either.

C. Crime and justice databases in the Crime Prevention and Criminal Justice Branch

21. The General Assembly in its resolution 46/152, annex, stressed the need to enhance the collection, exchange and dissemination of information among States on crime prevention and criminal justice. Collection and automation of this information was requested as well by the Economic and Social Council in its resolution 1992/22. In view of these resolutions and in connection with the computerization of criminal justice management, efforts are underway to design and implement a computerized database system for the purpose of processing and disseminating data on, among other things, crime prevention measures and projects, national legislation on money laundering, the freezing and forfeiture of the proceeds of crime and the monitoring of large-scale cash transactions, legislation related to model treaties on extradition, and mutual assistance in criminal matters and transfer of proceedings.

22. The project, as it is now proposed, will involve the adaptation of the Clearinghouse Database on Disability-Related Information (CLEAR). The CLEAR database software was originally designed for the Disabled Persons Unit of the former Social Development Division, United Nations Office at Vienna.* CLEAR is a sophisticated database system that facilitates the processing and dissemination of information. It is an advanced application of the Micro CDS/ISIS of the United Nations Scientific, Educational and Cultural Organization.

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*The CLEAR system was initially developed with a contribution from the Government of Sweden and a grant from the United Nations Voluntary Fund on Disability.

23. An adaptation of the CLEAR software is particularly attractive in that it may be freely distributed and operated with rudimentary computer equipment. Thus, it may be utilized by criminal justice administrators in both developed and developing countries without large financial investment. However, difficulties in attaining this goal rest on the lack of resources to adapt the software, process and collect information, and train users. Given the present limitations, it is therefore unlikely that the project will continue at a pace commensurate with the needs of the United Nations crime prevention and criminal justice programme. The Commission may wish to request extrabudgetary support from Member States to ensure the completion of this project.

D. Roster of experts

24. In accordance with General Assembly resolution 46/152, annex, section II, para. 17, and Economic and Social Council resolution 1992/22, section I, the Crime Prevention and Criminal Justice Branch was directed to establish and maintain a roster of experts to facilitate technical assistance projects and training activities. This was to be done in close cooperation with a variety of national, regional, interregional and international institutions and training agencies, as part of its clearing-house function. Assisted by UNICRI, the Branch has begun to establish a computerized roster of experts. The roster will include experts from different disciplines and with practical experience in the field of crime prevention and criminal justice. Maintenance of the roster will be an ongoing process.

II. CONCLUSIONS

25. On the basis of the preceding observations, conclusions emerge that may serve as a basis for discussion at the third session of the Commission.

26. First, the Commission may wish to suggest ways of establishing an expert group on matters related to the computerization of criminal justice management which would have a standing mandate to promote technical cooperation projects in this area (paras. 7-9, above).

27. Secondly, the Commission may wish to give special attention to the transfer and further development of UNCJIN, without losing sight of its potential utility (paras. 15-17, above).

28. Thirdly, the Commission may wish to change the name of the "United Nations Criminal Justice Information Network" to the "United Nations Crime and Justice Information Network" (para. 20, above).

29. Fourthly, the Commission may wish to offer recommendations on further steps in the development of an automated database system in the Crime Prevention and Criminal Justice Branch, including the possible secondment of staff to the Branch with a view to initiating the adaptation of software, data collection and data entry (paras. 21-23, above).

30. Finally, in accordance with Economic and Social Council resolution 1992/22 and General Assembly resolution 46/152, annex, the Commission may wish to encourage and give support to the maintenance of a roster of experts (para. 24, above).

Notes

[1]Sixth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Caracas, Venezuela, 25 August-5 September 1980 (United Nations publication, Sales No. E.81.IV.4), part three, chap. IV, sect. B, resolution 2, paragraph 55.

[2]Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August-7 September 1990 (United Nations publication, Sales No. E.91.IV.2), part one, chap. I, sect. A, resolution 3.

[3]Studies in Methods, series F, No. 58 (United Nations publication, Sales No. E.92.XVII.6).